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JUN 22 2004

**OFFICIAL**

TO: Commissioner for Patents, USPTO, Examiner S. Kumar

FAX NO.: (703) 872-9306

FROM: D. Benjamin Borson

RE: Serial No: 09/580,503

DATE: June 22, 2004 Total Pages : 16

Original will follow by mail: NoIf you do not receive all of the pages, please call Ben Borson at 415.362.3800.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application

Inventor(s): Sovak et al.

Appln. No.: 09/580,503

Confirm. No.: 9367

Filed: May 25, 2000

Title: A TOPICAL ANTIANDROGEN FOR HAIR LOSS  
AND OTHER HYPERANDROGENIC  
CONDITIONS

## PATENT APPLICATION

Art Unit: 1621

Examiner: S. Kumar

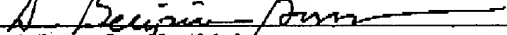
Customer No. 23910

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## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, Examining Group 1621 Facsimile No. (703) 872-9306 on June 22, 2004.

 (Attorney Signature)  
D. Benjamin Borson, Reg. No. 42,349  
Signature Date: June 22, 2004

OFFICIAL

## RESPONSE TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- ☒ X A Response under 37 C.F.R. §1.111 to the Office Action dated March 23, 2004.
- ☐ A Response under 37 C.F.R. §1.116 to the Office Action dated \_\_\_\_\_.
- ☐ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- ☐ Applicant(s) qualify for small entity status under 37 C.F.R. §1.27.
- ☐ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

- 1 -

Attorney Docket No.: SOVA 1016 US0 MCF/DBB  
dbb/SOVA/1016.027.wpd

201.001:010204  
06/22/04-13:39

The fee associated with this communication has been calculated as shown below:

- X   No fee is required with this communication.
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- A fee for extension of time for response under 37 C.F.R. §1.136 filed within        month(s) after the original time for response of \$       is due.
- A fee of \$180.00 is due for the submission of the accompanying Information Disclosure Statement.
- A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

| FEES  | Claims Remaining After Amendment | Highest Number Previously Paid For | Present Extra | Rate Small Entity/Other Than Small Entity | Total |
|---|----------------------------------|------------------------------------|---------------|---|-------|
| TOTAL CLAIMS (37 CFR 1.16(c))   | <u>  20  </u> * -                | <u>  20  </u> **                   | <u>      </u> | X \$ 9.00<br>X \$ 18.00                   | \$ 0  |
| INDEPENDENT CLAIMS (37 CFR 1.16(b))                                     | <u>   1  </u> * -                | <u>   3  </u> ***                  | <u>      </u> | X \$ 43.00<br>X \$ 86.00                  | \$ 0  |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) |                                  |                                    |               | + \$145.00<br>+ \$290.00                  | \$    |
|   |                                  |                                    |               | TOTAL                                     | \$ 0  |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number of Previously Paid For" in this space is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, enter "3".

The total fee required with this communication is \$       and is to be paid as follows:

       Please charge Deposit Account No. 06-1325 in the amount of \$      . A duplicate copy of this authorization is enclosed.

       A check in the amount of \$       is enclosed.

☒

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: June 22, 2004

By: 

D. Benjamin Borson, Ph.D.  
Reg. No. 42,349

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800

- 3 -

Attorney Docket No.: SOVA 1016 USO MCF/DBB  
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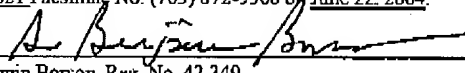
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D. Benjamin Borison, Reg. No. 42,349  
Signature Date: June 22, 2004

(Attorney Signature)

**OFFICIAL**

## RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This RESPONSE is in reply to the Office action mailed March 23, 2004. Accompanying this Response are two Declarations, one by Allen L. Seligson and another by James Gordon Douglass, III.

**Amendments**

Please amend the above-identified application as follows: